# MONTANA LEGISLATIVE HISTORY

Chapter 178 19 65

Bill H 85 S _____ Original bill & history ___C

| H. Committee on Judiciary | | | S. Committee on Judiciary | | |
|---|---|---|---|---|---|
| Hearing Date(s) | 1-15 | ✓C | Hearing Date(s) | 2-18 | ✓C |
| | 1-20 | ✓C | | 2-19 | ✓C |
| | 1-25 | ✓C | | _____ | ___C |
| | _____ | ___C | | _____ | ___C |
| Date Out | _____ | ___C | | | |

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Did this bill originate in an interim committee? ___Yes ___No

Committee _____ Report _____

1965 Legislative Sessic
House of Representative

## Record of Bills to Judi ary Committee

| Bills | Subject | Date Refer Committee | Action | Date Out |
|---|---|---|---|---|
| HB 70 | Limit liability landowner or tenant to persons permitted to enter lands for recreat. purposes | 1-13-65 | Amend & Do Pass | 1-15-65 |
| HB 74 | Providing for liability of a person on the land of another for damages arising because of negligence, etc. | 1-13-65 | 1-28 & 1-30 Amends & Do pass | 1-28-65 |
| HB 93 | Providing that coroners in first & second class counties must be physicians. | 1-22-65 | Do not pass | 2-11-65 |
| HB 85 | Requiring doctors, nurses, teachers, social workers to report apparent physical abuse of children to county welfare dept. | 1-16-65 | Amended & Do Pass | 1-26-65 |
| HB 107 | Imposing - Limitations and conditions upon continued existence of clouds on title of real property | 1-16-65 | Do not pass | 2-1-65 |
| HB 109 | Submit to qualified electors of Montana- amendment to Sec. 2 Art. IX Constitution of Montana - qualifications of electors - re levy, debt or liability | 1-16-65 | Referred to Com. on Cons & Elections | 1-26-65 |
| HB 112 | Montana Soldiers Home Remain at Columbia Falls | 1-16-65 | Referred to State Adm. | 1-26-65 |

JUDICIARY COMMITTEE
January 15, 1965

House Bill No. 36. Action on this bill was passed until Monday, January 18th.

Civil Suit 1214 -- It was felt there wasn't much that could be done since the Federal Court decided the Legislature should act on reapportionment. Mr.Sheehy suggested that the report be made along the lines they have set out and that perhaps the Committee should ask the Opinion be mimeographed and distributed to all the members. Representative Mather made the motion to this effect and the motion carried.

House Bill No. 19. Chairman Sheehy said it was his feeling at the Public Hearing on Thursday, that a number of the Judiciary Committee members were reticent in regard to asking questions, and he felt the members might wish to have Mr. V. A. Burr of the Public Welfare Department to appear before our committee.

House Bill No. 42. Representative McNamer mentioned this bill might come up for Public Hearing. Representative Jensen stated this item stirs up so much feeling. Chairman Sheehy suggested that Representative Watt be requested to appear January 18th before the committee to speak in behalf of his bill. Mr. McNamer suggested perhaps we should hear from various law enforcement people.

House Bills 47 and 85 were given to a subcommittee consisting of Reprs. Hall, Mather and Netzger. A temporary date for report is the middle of next week.

House Bill 70. Representative Bailey spoke to the Committee regarding this bill. Representative Jensen moved that House Bill No. 70 as amended - the motion of Representative McNamer - to strike out the words "gross negligence or" on Line 19, page 1, be reported out for adoption.

There being no further business, the meeting adjourned.

John C. Sheehy, Chairman

JUDICIARY COMMITTEE
January 20, 1965

The Judiciary Committee meeting was held at 8:00 a.m. January 20, 1965, in the Committee Room.

On Roll Call, all were present except Representative Rehberg, who was excused.

House Bill 74. Mr. Bailey explained this bill. After much discussion a final agreement to amend this bill was made. Mr. Gilfeather made a motion to strike from the title of the bill the language "and providing that the damage to the property shall be prima facie evidence of negligence; that the bill be further amended in Section 1 by inserting the word "negligently" between the words "and" and "leaves"; and, adding "thereto" on line 16 after the word "negligence" and, line 16, the word "approximately" inserted after the word "damage" and before the word "cause, and to strike the last sentence of the original bill, beginning with line 18, and as amended, the bill do pass. Motion carried.

House Bill 36. Representative Barry O'Leary appeared in behalf of House Bill 36. He stated this bill had been repealed (17-1201-RCM 1947) and as the law now stands - he said a man may steal another man's horse and be prosecuted; but stealing another man's wife - nothing could be done. The question was asked as to why this bill was killed in the 1963 session, and Mr. Jensen offered the information that it was done after a study on "Family Life" course of over two years conducted by Dean Sullivan of the Law School at Missoula. Mr. O'Leary stated he felt this law should be re-enacted. Mr. Mather made a motion that the bill DO NOT PASS because it didn't contribute to family stabilization. The motion carried.

House Bill 47 & 85. The subcommittee of Hall, Mather and Netzger reported on these bills. Mr. Hall spoke for the committee. He stated the subcommittee felt HB 85 was the more comprehensive of the two bills and should be considered. He stated he had talked with the sponsors and they felt the same. The subcommittee recommended that House Bill 47 DO NOT PASS and that House Bill 85 DO PASS as amended. Motion was made and carried that House Bill 47 DO NOT PASS. Mr. Hall was asked to prepare the amendment for House Bill 85.

House Resolution 5. Relative to electronic recorders without knowledge of speaker (s). After discussion of the Resolution, a motion by Repr. Hall was made to add the words "by electronic device" between the words "recorded" and "in" on line 32, page 1. The motion carried. Mr. Sullivan made a motion that the Resolution DO PASS as amended.

Mr. Felt made a substitute motion that the Resolution DO NOT PASS.

January 6, 19 65

MR. SPEAKER:

We, your Committee on Judiciary

having had under consideration House Bill No. 85

"AN ACT RELATING TO PHYSICIAN ABUSE OF CHILDREN; PROVIDING FOR REPORTS MADE BY THE COUNTY DEPARTMENT OF PUBLIC WELFARE IN CASES OF SUCH REPORTS ARE MADE; PROVIDING IMMUNITY FROM LIABILITY FOR THOSE PERSONS PARTICIPATING IN MAKING SUCH REPORTS; AND PROVIDING FOR THE ADMISSIBILITY OF SUCH REPORT INTO EVIDENCE IN PROCEEDINGS WHICH RESULT FROM THE MAKING OF SUCH REPORTS."

Respectfully report as follows: That House Bill No. 85

Be amended as follows: That the title be amended in the following particulars: page 1, line 5, add the words "or wilful neglect" between the words "abuse" and "of". Page 1, line 6, striking the words "department of public welfare" and inserting in lieu thereof the word "attorney" between the words "county" and "in".

And be further amended, page 1, line 15, Section 1 be amended by adding the words "or wilful neglect" between the words "injury" and "inflicted".

And be further amended by striking Section 2 in its entirety and inserting in lieu thereof the following:

"Section 2. Reports. Any licensed physician and surgeon, resident or intern, who examines, attends or treats a child under the age of eighteen (18) years, or any registered nurse, practical nurse, any visiting nurse, any school teacher, or any social worker acting in his or her official capacity, having reason to believe that such child has had serious injury or injuries inflicted upon him or her as a result of abuse or neglect, or has been wilfully neglected, shall report the matter promptly to the county attorney in the county where such examination is made on such child is located; provided that when attendance with respect to a child is pursuant to the performance of services as a member of the staff of a hospital or similar institution, such staff member shall immediately notify the superintendent, manager, or other person in charge of the institution who shall make the report forthwith. If the report is not made in writing in the first instance, it shall be reduced to writing by the maker thereof as soon as it conveniently may be after it is initially made by telephone or otherwise, and it shall contain the names and addresses of the child and his or her parents or other persons responsible for his or her care, to the extent known, the child's age, the nature and extent of the

IM—1-65—44222 Chairman

(continued on page 2.

JUDICAIRY COMMITTEE
January 25, 1965

The Judiciary Committe met at 8:00 a.m. in the Committee Room, January 25, 1965.

On Roll Call, all were present except Representatives Gilfeather who was excused, and Deschamps and Felt.

House Bill 42 - Senator C. R. Thiessen, from Richland County, appeared in opposition to this bill. Representative Watt, chief sponsor of the bill was present to hear the views of the oppositon. Senator Thiessen indicated his feelings were that a killer sent back to society through pardons, and otherwise, may kill again. He stated the fault in the system of capital punishment was not in the system but in the one who uses it. He mentioned he had intended to put in a bill this session regarding the gas chamber in lieu of the gallows but was given advice that the statutes would be recodified in 1967. He urged that capital punishment not be abolished.

House Bill 135 - Represnetative Cregg, sponsor, spoke in favor of this bill. He stated it was somewhat contorversial in that there is a misunderstanding regarding lottery and casino type gambling. He mentioned the purpose of the bill at this time was to try to get lottery on the ballot to vote in 1966; assuming it was put on the ballot and passed, then the 1967 session would create a mandate; 1968, it would be established and operating. He felt the big drawing would be the out-of-state money and would probably keep Montana from having a sales tax. An estimated five million dollars was expected annually, and asked this committee to consider this bill. The committee dicussed this bill and thought that insofar as only 3 referendums could be placed each year, it was felt that this bill should go to Committee on Consitutions, Elections, and Federal Relations for consideration. The motion was made by Repr. Hall - Motion carried.

HB 109 After some discussion, Mr. Hall moved that this bill also be sent to the Committee on Constitutions, Elections, and Federal Relations, because it involves a referendum. The Motion carried.

HB-85 - Mr. Hall presented the final of the subcommittee redraft on this bill. He made the motion that this bill be amended, per a draft he presented, and as amended DO PASS. The motion carried.

House Bill 142. Mr. McNamer spoke in favor of this bill. Mr. Sheehy vacated the chair, Mr. Hall presided - because Mr. Sheehy wanted to speak in opposition to this bill. Mr. Sheehy made a motion to strike some material and insert other - Mr. McNamer asked for a vote of the committee to have outside counsel. Mr. Mather moved that consideration be passed until January 27th. Motion carried.

House Bill 181 - Motion was to amend this bill, and as amended, DO PASS.
House Bill 182 - Motion was made to DO PASS. Motion carried.
House Bill 183 - Motion was made to DO PASS. Motion carried.
House Bill 184 - Motion made to DO PASS. Motion carried.

REPORT OF SUBCOMMITTEE

OF HOUSE JUDICIARY

COMMITTEE

RE: House Bills 47 and 85

This subcommittee has examined House Bills 47 and 85, relating to abuse of children. The two bills deal with the same subject matter. The subcommittee felt that House Bill 85 was the more comprehensive of the two.

The subcommittee recommends that Section 2 of House Bill 85 be amended to read as follows:

"Section 2. Reports. Any licensed physician and surgeon, resident or intern, who examines, attends or treats a child under the age of eighteen (18) years, or any registered nurse, practical nurse, any visiting nurse, any school teacher, or any social worker acting in his or her official capacity, having reason to believe that such child has had serious injury or injuries inflicted upon him or her as a result of abuse or neglect, or has been wilfully neglected may shall report the matter promptly to the county department of public welfare attorney in the county where such examination is made or such child is located; provided that when attendance with respect to a child is pursuant to the performance of services as a member of the staff of a hospital or similar institution, such staff member shall immediately notify the superintendent, manager, or other person in charge of the institution who shall make the report forthwith. If the report is not made in writing in the first instance, it shall be reduced to writing by the maker thereof as soon as it conveniently may be after it is initially made by telephone

or otherwise, and it shall contain the names and addresses of the child and his or her parents or other persons responsible for his or her care, if to the extent known, the child's ~~xx injuries~~ age, the nature and extent of the child's injuries ~~(including any evidence of previous injuries), and any other~~ information that the maker of the report believes might be helpful in establishing the cause of the injuries or showing the wilful neglect and the identity of the person or persons responsible therefor, and the facts which led the person reporting to believe that the ~~child has suffered injury or injuries~~ or the wilful neglect within the meaning of this Act."

The subcommittee recommends that Section 3 be stricken in toto, and the following be inserted in lieu thereof.

"Section 3. If from said report it shall appear that the child suffered such injury or injuries or wilful neglect in the county in which the examination was made, the County Attorney receiving the report shall ~~immediately cause to be made the investigation hereinbelow referred to.~~ If from such report it shall appear that the child suffered such injury or injuries or wilful neglect in a county other than that in which the examination was made, the county attorney receiving the report shall forthwith transmit such report to the county attorney of the county in which it appears such injury or injuries or wilful neglect were suffered, and the county attorney of the latter county shall immediately cause to be made the investigation herein referred to. In making such investigation of the report, the county attorney may utilize the services of the county welfare department and all other departments of his county. The investigation shall be made into the home of the child involved and into the circumstances surrounding the

Continuation of recommendation from Judiciary Committee on House Bill 85:

child's injuries (including any evidence of previous injuries), and any other information that the maker of the report believes might be helpful in establishing the cause of the injuries or showing the wilful neglect and the identity of the person or persons responsible therefor, and the facts which led the person reporting to believe that the child has suffered injury or injuries, or wilful neglect, within the meaning of this Act."

And be further amended by striking Section 3 in its entirety and inserting in lieu thereof the following:

"Section 3. Action on reporting. If from said report it shall appear that the child suffered such injury or injuries or wilful neglect in the county in which the examination was made, the county attorney receiving the report shall immediately cause to be made the investigation hereinbelow referred to. If from such report it shall appear that the child suffered such injury or injuries or wilful neglect in a county other than that in which the examination was made, the county attorney receiving the report shall forthwith transmit such report to the county attorney of the county in which it appears such injury or injuries or wilful neglect were suffered, and the county attorney of the latter county shall immediately cause to be made the investigation herein referred to. In making such investigation of the report, the county attorney may utilize the services of the county welfare department and all other departments of his county. The investigation shall be made into the home of the child involved and into the circumstances surrounding the injury of the child, and into all other matters which, in the discretion of the county attorney shall be relevant and material to said investigation."

And as so amended,

DO PASS

John C. Sheehy, Chairman

injury of the child, and into all other matters which, in the discretion of the county attorney shall be relevant and material to said investigation."

The subcommittee recommends that House Bill 85, as amended do pass.

The subcommittee recommends that House Bill 47 do not pass.

Hall
Nefzger
Mather

The subcommittee recommends that the title of ~~the~~ House Bill 85 be amended in the following particulars: by adding the words "or wilful neglect" following the words "physical abuse," and by striking the words "Department of Public Welfare" ~~of~~ and inserting in lieu thereof the word "Attorney".

The subcommittee recommends that Section 1 be amended by adding the words "or wilful neglect" following the words "physical injury."

& Trust Co. of Helena; Tom Maddox, Executive Secretary of the Montana Association of Real Estate Boards of Helena; Arthur W. Dickhoff, Great Falls National Bank; Milo R. Janecek, owner of Title Guaranty Co. of Missoula; Bob Brown, L & Title Guaranty Co. of Great Falls; J. B. McCormick, Great Falls Home Building Association, and Robert P. Gaither, Gaither Construction Co. of Great Falls. A typewritten statement was presented to the committee by Tom Maddox.

Warren S. Harper, Representative from Park County, appeared before the committee in behalf of Thomas Haines, Representative from Missoula County who was unable to appear, in support of House Bill No. 85. Mr. Harper informed the committee that the purpose of the bill was to provide for the reporting of physical abuse or wilful neglect of children and to provide for action to be taken by the county attorney in cases where such reports are made and to provide immunity from liability for those persons participating in making such reports and to provide for the admissibility of such reports into evidence in proceedings which result from the making of such reports. He presented an excerpt from the Jan., 1965 issue of Time Magazine and other documents to the committee for their information relating to the bill. Also appearing before the committee in support of House Bill No. 85 were Ross Hagland, Executive Secretary of the Montana Medical Association and Mr. & Mrs. Vincent Van Aken of Livingston.

No action was taken on these bills at this committee meeting. Senator Gerard made a motion, seconded by Senator Dussault, that the meeting be adjourned. The motion was carried.

Eugene H. Mahoney, Chairman
Senate Judiciary Committee

After consideration of House Bill No. 85 by the committee, the following amendment was proposed: Amend page 3, line 27 of the original bill, being page 4, line 1 of the printed bill, by striking Section 6 in its entirety. Senator Cumming made a motion, seconded by Senator Dussault, that the amendments be adopted. The motion carried. Senator Dussault then made a motion, seconded by Senator Turnage, that House Bill No. 85, as amended, be concurred in. The motion was carried.

After consideration of House Bill No. 161, it was moved by Senator Cumming and seconded by Senator Turnage, that the committee recommend that House Bill No. 161 be not concurred in. The motion was carried with Senator Huntley voting "No".

After consideration of House Bill No. 273, Senator Turnage made a motion, seconded by Senator Huntley, that the committee recommend that House Bill No. 273 be concurred in. The motion was carried.

After consideration of House Bill No. 220, the committee proposed the following amendments: Amend on page 1, Section 1, line 20 of the original bill, being page 1, Section 1, line 8 of the printed bill, by striking the period after the word "bond" and inserting in lieu thereof a comma and the words "citation or summons."; further amend on page 2, line 3 of the original bill, being page 2, line 1 of the printed bill, by striking Section 2 in its entirety; Senator Turnage made a motion, seconded by Senator Huntley, that the amendments be adopted. Senator Turnage then made a motion and was seconded by Senator Huntley that the committee recommend that House Bill No. 220, as amended, be concurred in. The motion was carried.

After consideration of House Bill No. 191, the committee proposed the following amendment: Amend on page 1, Section 1, line 11 of the original bill, being page 1, Section 1, line 2 of the printed bill, by inserting a period after the word "enforceable" and striking the words "as contrary to public policy." It was moved by Senator Turnage, seconded by Senator McGowan, that the amendments be adopted. Senator Turnage then made a motion and was seconded by Senator McGowan that the committee recommend that House Bill No. 191, as amended, be concurred in. The motion was carried.

It was moved by Senator Dussault, seconded by Senator Cumming, that the meeting be adjourned. The motion was carried.

Eugene H. Mahoney

Eugene H. Mahoney, Chairman
Senate Judiciary Committee

February 19, 1965

MR. PRESIDENT:

We, your Committee on Judiciary

having had under consideration House Bill No. 85

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE REPORTING OF PHYSICAL ABUSE OR WILFUL NEGLECT OF CHILDREN; PROVIDING FOR ACTION TO BE TAKEN BY THE COUNTY ATTORNEY IN CASES WHERE SUCH REPORTS ARE MADE; PROVIDING IMMUNITY FROM LIABILITY FOR THOSE PERSONS PARTICIPATING IN MAKING SUCH REPORTS; AND PROVIDING FOR THE ADMISSIBILITY OF SUCH REPORTS INTO EVIDENCE IN PROCEEDINGS WHICH RESULT FROM THE MAKING OF SUCH REPORTS."

Respectfully report as follows: That House Bill No. 85 be amended as follows:

Amend page 3, line 27 of the original bill, being page 4, line 1 of the printed bill, by striking Section 6 in its entirety; and as so amended

DO CONCURRED IN

state agency for surplus property such power and authority as he deems reasonable and proper for the effective administration of this act."

Amending clause.

Section 50. Subsection 3, Section 89-103, R. C. M. 1947, is amended to read as follows:

Seal—rules and regulations—legal advisers.

"(3) The board shall have and adopt a seal bearing its name, which seal shall be affixed to such records and other instruments as it may direct, and all courts shall take judicial notice of said seal. It is authorized to adopt from time to time, as necessary or expedient, suitable rules and regulations for the administration of this act. The attorney general shall act as legal adviser for the board and shall perform such legal services as the board may request; he shall receive his actual and necessary expenses when engaged in travel in the performance of such services. With his consent the board may employ additional legal counsel, and the board may also appoint such technical and other assistants and employees as may be necessary to enable it to perform its duties and carry out the purposes of this act, and may fix their compensation."

Repealing clause.

Section 51. Sections 3-407, 6-101, 6-102, 6-103, 6-104, 46-702, 66-810, 77-1004, 79-809, 82-404, 82-507, 82-1013, 82-1907, 82-2213, 92-106 and 92-107, R. C. M. 1947, are repealed.

Approved March 4, 1965.

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## CHAPTER 178

An Act Providing for the Reporting of Physical Abuse or Wilful Neglect of Children; Providing for Action to be Taken by the County Attorney in Cases Where Such Reports Are Made; Providing Immunity From Liability for Those Persons Participating in Making Such Reports; and Providing for the Admissibility of Such Reports Into Evidence in Proceedings Which Result From the Making of Such Reports.

*Be it enacted by the Legislative Assembly of the State of Montana:*

Provide for protection of children subject to physical injury or wilful neglect.

Section 1. **Declaration of policy.** It is the policy of this state to provide for the protection of children who have had physical injury or wilful neglect inflicted upon





them and who, in the absence of appropriate reports concerning their condition and circumstances, may be further threatened by the conduct of those responsible for their care and protection.

Reports—county attorney.

Section 2. **Reports.** Any licensed physician and surgeon, resident or intern, who examines, attends or treats a child under the age of eighteen (18) years, or any registered nurse, practical nurse, any visiting nurse, any school teacher, or any social worker acting in his or her official capacity, having reason to believe that such child has had serious injury or injuries inflicted upon him or her as a result of abuse or neglect, or has been wilfully neglected, shall report the matter promptly to the county attorney in the county where such examination is made or such child is located; provided that when attendance with respect to a child is pursuant to the performance of services as a member of the staff of a hospital or similar institution, such staff member shall immediately notify the superintendent, manager, or other person in charge of the institution who shall make the report forthwith. If the report is not made in writing in the first instance, it shall be reduced to writing by the maker thereof as soon as it conveniently may be after it is initially made by telephone or otherwise, and it shall contain the names and addresses of the child and his or her parents or other persons responsible for his or her care; to the extent known, the child's age, the nature and extent of the child's injuries (including any evidence of previous injuries), and any other information that the maker of the report believes might be helpful in establishing the cause of the injuries or showing the wilful neglect and the identity of the person or persons responsible therefor, and the facts which led the person reporting to believe that the child has suffered injury or injuries, or wilful neglect, within the meaning of this act.

Action on reporting.

Section 3. **Action on reporting.** If from said report it shall appear that the child suffered such injury or injuries or wilful neglect in the county in which the examination was made, the county attorney receiving the report shall immediately cause to be made the investigation hereinbelow referred to. If from such report it shall appear that the child suffered such injury or injuries or wilful neglect in a county other than that in which the examination was made, the county attorney

receiving the report shall forthwith transmit such report to the county attorney of the county in which it appears such injury or injuries or wilful neglect were suffered, and the county attorney of the latter county shall immediately cause to be made the investigation herein referred to. In making such investigation of the report, the county attorney may utilize the services of the county welfare department and all other departments of his county. The investigation shall be made into the home of the child involved and into the circumstances surrounding the injury of the child, and into all other matters which, in the discretion of the county attorney shall be relevant and material to said investigation.

Immunity from liability.

Section 4. **Immunity from liability.** Any one participating in the making of a report pursuant to the provisions of this act or participating in a judicial proceedings resulting therefrom shall be presumed to be acting in good faith and in so doing shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed, unless the person acted in bad faith or with malicious purpose.

Admissibility of evidence.

Section 5. **Admissibility of evidence.** In any proceeding resulting from a report made pursuant to the provisions of this act or in any proceeding where such a report or any contents thereof are sought to be introduced into evidence, such report or contents thereof or any other fact or facts related thereto or to the condition of the child who is the subject of the report shall not be excluded on the ground that the matter is or may be the subject of a physician-patient privilege or similar privilege or rule against disclosure.

Approved March 4, 1965.

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## CHAPTER 179

An Act to Amend Section 16-2818, R. C. M. 1947, to Provide for Payment of Costs of Medication, Medical Services and Hospitalization Incurred by Prisoners.

*Be it enacted by the Legislative Assembly of the State of Montana:*

Amending clause.

Section 1. That section 16-2818, R. C. M. 1947, is amended to read as follows:





Sheriff to receive all persons duly committed—medical service.

"16-2818. **Sheriff to receive all persons duly committed.** The sheriff must receive all persons committed to jail by competent authority, and provide them with necessary food, clothing, and bedding, for which he shall be allowed a reasonable compensation, to be determined by the board of county commissioners, and, except as provided in the next section, to be paid out of the county treasury. *If in the opinion of the sheriff any prisoner requires medication, medical services or hospitalization, the expense of the same shall be borne by the agency or authority at whose instance the prisoner is detained when the agency or authority is not the county wherein the prisoner is being detained.*"

Approved March 4, 1965.

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## CHAPTER 180

An Act Concerning Per Diem and Reimbursement for Expenses of Members of the Legislative Assembly; Amending Section 43-310, R. C. M. 1947.

*Be it enacted by the Legislative Assembly of the State of Montana:*

Amending clause.

Section 1. Section 43-310, R. C. M. 1947, is amended to read as follows:

Compensation.

"43-310. *(1)* Members of the legislative assembly hereafter elected shall receive twenty dollars ($20.00) per day, payable weekly, during the session of the legislative assembly, and eight cents (8¢) per mile for each mile of travel to and from their residences and the place of holding the session, by the nearest traveled route.

Expense reimbursement.

*(2) Members shall also receive fifteen dollars ($15.00) per day, payable weekly during the session of the legislative assembly, as reimbursement for expenses incurred in attending the session.*"

Approved March 4, 1965.

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## CHAPTER 181

An Act Specifying Conditions Under Which Forfeiture of Bail or Deposit Instead of Bail Shall be Discharged; Amending Section 94-8704, R. C. M. 1947.